

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 10/699,992	<b>Applicant(s)</b> WEBBER ET AL.	
	<b>Examiner</b> Victor K. Hwang	<b>Art Unit</b> 3764	

**All Participants:**

 (1) Victor K. Hwang.

 (2) Katherine Proctor.
**Status of Application:** \_\_\_\_\_

(3) \_\_\_\_\_.

(4) \_\_\_\_\_.

**Date of Interview:** 16 July 2007
**Time:** \_\_\_\_\_

**Type of Interview:**

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

 Exhibit Shown or Demonstrated: ☒ Yes ☐ No

 If Yes, provide a brief description: *Proposed Examiner's amendment.*
**Part I.**

Rejection(s) discussed:

Claims discussed:

1-46

Prior art documents discussed:

*Art of record*
**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*Authorization for Examiner's amendment (see attached fax) with slight changes.*
**Part III.**

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

 \_\_\_\_\_  
 (Examiner/SPE Signature)

 \_\_\_\_\_  
 (Applicant/Applicant's Representative Signature – if appropriate)



Part of Interview  
Summary

TELECOPY/FACSIMILE TRANSMISSION COVER SHEET

Date: 7/12/07

To: (Name) Katherine Proctor

(Co. or Firm) Pro copio, Cory, Hargreaves & Savitch

(Facsimile No.) 619-235-0398

From: (Examiner) Victor Hwang, Art Unit 3764

(Telephone No.) (571) 272-4976

(Facsimile No.) (571) 273-4976

(Email) vhwang@uspto.gov

Re: Application Serial Number 10/699,992

Attorney Docket Number 111586-102UTL

NUMBER OF PAGES TRANSMITTED 10 (INCLUDING THIS COVER PAGE)

If you have not received all pages of this transmission, please contact:

The Examiner at the above number.

**IMPORTANT NOTICE:** The information contained in this facsimile transmission is intended only for the use of the individual or entity recipient named above. The information may be confidential and/or legally privileged. If the reader of this message is not the named intended recipient, or the employee or agent responsible to deliver it to the named intended recipient, you are hereby notified that any dissemination, distribution, copying, or the taking of any action in reliance on the contents of this communication is strictly prohibited. If you have received this communication in error, please notify the above sender immediately by telephone. You may call collect. Thank you.

NOTE: Prior art that is being considered with respect to the proposed amendment include:

US Pats. 5,643,147  
5,722,918  
5,702,328  
6,971,978  
5,352,171  
5,827,158  
5,997,446  
5,674,161

Application/Control Number: 10/699,992

Art Unit: 3764

The application is proposed to be amended as follows:

Do Not  
ENTER.

(CURRENTLY AMENDED) A shoulder press exercise machine, comprising:

a main frame having a user support pivot mount, a forward end and a rear end;

a user support pivotally mounted on the user support pivot mount for supporting a user in a seated position and movable between a start position and an end position <sup>which is</sup> ~~more rearwardly~~ reclined <sup>relative to</sup> than the start position, the user support including a seat portion and a backrest portion;

at least one exercise arm movably mounted on the frame <sup>at a mounting location</sup> ~~rearward of the user support~~, the exercise arm having user engagement means for gripping by a user in performing a shoulder press exercise, the exercise arm being movable in an exercise movement in which the user engagement means is located higher at the end of the exercise movement than at the start of the exercise movement;

a connecting linkage comprising means for connecting movement of the exercise arm to movement of the user support, whereby exercise movement of the exercise arm simultaneously rotates the user support in the same general direction as the exercise arm is moved; and

a load separate from the user for resisting movement of at least one of the user support, exercise arm, and connecting linkage;

whereby the combined motion of the user, user support and user engagement means substantially replicates the natural movement of the upper part of a human body when performing a free weight shoulder press exercise.

2. (CURRENTLY AMENDED) A shoulder press exercise machine, comprising:

a main frame having a user support pivot mount, a forward end and a rear end;

a user support pivotally mounted on the user support pivot mount for supporting a user in a seated position and movable between a start position and an end position more rearwardly reclined than the start position, the user support having a seat pad and a back pad, the seat pad and back pad traveling in a fixed relationship relative to one another throughout an exercise movement;

at least one exercise arm movably mounted on the frame rearward of the user support, the exercise arm having user engagement means for gripping by a user in performing a shoulder

Application/Control Number: 10/699,992

Art Unit: 3764

DO NOT ENTER  
press exercise, and being located higher at the end of a shoulder press exercise than at the beginning of the exercise;

a connecting linkage comprising means for connecting movement of the exercise arm to movement of the user support, whereby movement of the exercise arm simultaneously rotates the user support in the same general direction as the exercise arm is moved; and

a load for resisting movement of at least one of the user support, exercise arm, and connecting linkage;

whereby the combined motion of the user, user support and user engagement means substantially replicates the natural movement of the upper part of a human body when performing a free weight shoulder press exercise.

3. (CURRENTLY AMENDED) The machine as claimed in claim 2, wherein ~~the user support is movable between exercise start and end positions, and~~ the start position of the user support is a rearwardly reclined position.

4. (CANCELLED)

5. (PREVIOUSLY AMENDED) The machine as claimed in claim 3, wherein the user support in the end position is positioned upwardly and forward from the start position with the back pad more reclined than in the start position.

6. (ORIGINAL) The machine as claimed in claim 2, wherein the user support further includes a foot plate for supporting the user's feet on the user support throughout the exercise movement.

7. (ORIGINAL) The machine as claimed in claim 2, wherein the seat pad is adjustable in height.

8. (ORIGINAL) The machine as claimed in claim 1, including a foot rest mounted on the main frame in front of the user support for supporting the user's feet during an exercise movement.

DO NOT ENTER 9. (ORIGINAL) The machine as claimed in claim 1, wherein the exercise arm is moveably mounted on the frame for rotation about an exercise arm pivot

10. (ORIGINAL) The machine as claimed in claim 9, wherein the exercise arm pivot is positioned rearward of the user support.

11. (ORIGINAL) The machine as claimed in claim 9, wherein the user support rotates in the same direction as the exercise arm.

12. (ORIGINAL) The machine as claimed in claim 1, wherein the exercise arm is moveably mounted on the frame for movement in a linear path.

13. (PREVIOUSLY AMENDED) The machine as claimed in claim 12, wherein the main frame has an inclined strut located behind said user support, and the exercise arm has a central portion movably mounted for movement along said strut during an exercise, and has arm portions projecting forward from said central portion on opposite sides of said user support, said user engaging means comprising handles at the ends of said arm portions.

14. (PREVIOUSLY AMENDED) The machine as claimed in claim 1, wherein the user support has a user engaging region over which at least part of a user's body is located when the user is seated on the support, the user support pivot mount is positioned at a predetermined location under the user engaging region of the user support, the pivot mount defining a vertical, gravitational center line, whereby movement of the user engagement device in an exercise movement simultaneously moves the user support between a start position and an end position, the user support pivot mount being positioned such that portions of the user engaging region of the user support are distributed on each side of the gravitational centerline of the pivot mount in both the start and end position and only a portion of the user engaging region of the user support passes through the gravitational centerline during the exercise movement.

15. (CANCELLED)

Application/Control Number: 10/699,992

Art Unit: 3764

Do Not Enter

16. (CURRENTLY AMENDED) The machine as claimed in claim 14, wherein a greater portion of the user engaging region is located in front of the gravitational centerline in the start position than in the end position, approximately 50% of the user support being located on each side of the centerline in the end position.

17. (CURRENTLY AMENDED) The machine as claimed in claim 1, wherein the user support ~~frame~~ has a primary user support and a secondary user support held in fixed relative locations throughout an exercise movement, the primary support comprising a seat pad.

18. (ORIGINAL) The machine as claimed in claim 17, wherein the secondary support comprises a back pad.

19. (PREVIOUSLY AMENDED) The machine as claimed in claim 1, wherein the user support has a user engaging region over which at least part of a user's body is located when seated on the user support, and the pivot mount defines a gravitational centerline extending through the user engaging region throughout an exercise movement.

20. (CANCELLED)

21. (ORIGINAL) The machine as claimed in claim 1, wherein the main frame has a base and the user support pivot mount is mounted on the base.

22. (ORIGINAL) The machine as claimed in claim 1, wherein the exercise arm comprises a single rigid exercise arm having opposite arm portions extending on opposite sides of the user support, the arm portions having outer ends, and said user engaging means comprising angled handles at the outer ends of said arm portions.

Application/Control Number: 10/699,992

Art Unit: 3764

23. (ORIGINAL) The machine as claimed in claim 1, wherein a pair of independently movable exercise arms are movably mounted on the frame, each exercise arm having a user engagement means for engagement by a respective one of the user's hands.

24. (PREVIOUSLY AMENDED) The machine as claimed in claim 1, wherein the connecting linkage is a rigid link.

25. (CURRENTLY AMENDED) The machine as claimed in claim 24, wherein the connecting linkage link has a first end pivoted to said exercise arm and a second end pivoted to said user support frame.

26. (CURRENTLY AMENDED) The machine as claimed in claim 25, wherein ~~the user support has a seat portion and a backrest portion, and~~ the second end of the connecting linkage link is pivoted to said backrest portion.

27. (CURRENTLY AMENDED) The machine as claimed in claim 25, wherein ~~the user support has a seat portion and a backrest portion, and~~ the second end of the connecting linkage link is pivoted to said seat portion.

28. (CURRENTLY AMENDED) The machine as claimed in claim 24, wherein the connecting linkage link is adjustable in length.

29. (PREVIOUSLY AMENDED) The machine as claimed in claim 1, including a movable member movably mounted on said user support, the connecting linkage having a first end pivoted to said movable member and a second end pivoted to said exercise arm.

30. (CURRENTLY AMENDED) The machine as claimed in claim 1, wherein the connecting linkage comprises a first gear toothed cam mounted on said at least one exercise arm user engagement device, a second gear toothed cam mounted on said user support frame, and a sprocket rotatably mounted on said main frame and meshing with said first and second gear

Do  
Not  
Enter

Application/Control Number: 10/699,992

Art Unit: 3764

Do Not Enter  
toothed cams so as to link movement of said at least one exercise arm ~~user engagement device~~ with movement of said user support ~~frame~~.

31. (PREVIOUSLY AMENDED) The machine as claimed in claim 1, wherein the connecting linkage comprises a moving wedge member movably engaged with said main frame and user support, and said exercise arm is linked to said moving wedge member.

32. (PREVIOUSLY AMENDED) The machine as claimed in claim 1, wherein the connecting linkage comprises a cable and pulley linkage.

33. (PREVIOUSLY AMENDED) The machine as claimed in claim 1, wherein the connecting linkage comprises a movable member movably mounted on said main frame, a first linkage connecting said movable member to said user support, and a second linkage connecting said movable member to said exercise arm.

34. (PREVIOUSLY AMENDED) The machine as claimed in claim 1, wherein the connecting linkage comprises a multiple bar linkage between said user support, exercise arm, and main frame.

35. (PREVIOUSLY AMENDED) A shoulder press exercise machine, comprising:

a main frame having a user support pivot mount, a forward end and a rear end;

a user support pivotally mounted on the user support pivot mount for supporting a user in a seated position and movable between a start position and an end position;

at least one exercise arm movably mounted on the frame, the exercise arm having user engagement means for gripping by a user in performing a shoulder press exercise, and being located higher at the end of a shoulder press exercise than at the beginning of the exercise;

a connecting linkage comprising means for connecting movement of the exercise arm to movement of the user support, whereby movement of the exercise arm simultaneously rotates the user support; and



Application/Control Number: 10/699,992

Art Unit: 3764

DO  
NOT  
ENTER  
a load comprising a selectorized weight stack for resisting movement of at least one of the user support, exercise arm, and connecting linkage;

whereby the combined motion of the user, user support and user engagement means between the start and end position substantially replicates the natural movement of the upper part of a human body when performing a free weight shoulder press exercise.

36. (ORIGINAL) The machine as claimed in claim 1, wherein the load comprises weight plates.

37. (ORIGINAL) The machine as claimed in claim 1, wherein the load is linked to said user support frame.

38. (ORIGINAL) The machine as claimed in claim 1, wherein the load is linked to said exercise arm.

39. (CURRENTLY AMENDED) The machine as claimed in claim 1, wherein the load is linked to said connecting linkage link.

40. (CURRENTLY AMENDED) A shoulder press exercise machine, comprising:

a main frame having a user support pivot mount, a forward end and a rear end, the main frame having a base and a rear upright at the rear end of the base;

a user support pivotally mounted on the user support pivot mount for supporting a user in a seated position and movable between a start position and an end position more rearwardly reclined than the start position;

an exercise arm movably mounted on said rear upright and having arm portions projecting forward on opposite sides of said user support, the exercise arm having user engagement means for gripping by a user in performing a shoulder press exercise, the user engagement means comprising the only part of the machine actuated by a user in order to perform the exercise, the exercise arm having a start position corresponding to the start position of the user support and an end position higher than the start position, the end position of the exercise arm corresponding to the end position of the user support;

Application/Control Number: 10/699,992

Art Unit: 3764

Do Not Enter

a connecting linkage comprising means for connecting movement of the exercise arm to movement of the user support, whereby movement of the exercise arm from the start to the end position simultaneously rotates the user support from the start to the end position in the same general direction as the exercise arm is moved; and

a load for resisting movement of at least one of the user support, exercise arm, and connecting linkage;

whereby the combined motion of the user, user support frame and user engagement means between the start and end position substantially replicates the natural movement of the upper part of a human body when performing a free weight shoulder press exercise.

41. (ORIGINAL) The machine as claimed in claim 1, wherein said user support is L-shaped, having a seat supporting base and an upright back support member and a junction between the base and upright back support member.

42. (CURRENTLY AMENDED) The machine as claimed in claim 41, wherein the user support pivot mount is located adjacent the junction of said seat supporting base and upright back support member.

43. (CURRENTLY AMENDED) The machine as claimed in claim 41, wherein said user support pivot mount is pivotally secured to said upright back support member of said user support.

44. (ORIGINAL) The machine as claimed in claim 43, wherein said upright back support member has an upper end, the user support pivot mount being pivotally connected to the upper end of said upright back support member

45. (CURRENTLY AMENDED) A shoulder press exercise machine for performing exercises equivalent to a free weight shoulder press exercise, comprising:

a main frame having a forward end and a rear end;

a user support pivot mount on the main frame;

Application/Control Number: 10/699,992

Art Unit: 3764

Do Not Enter

a user support frame pivotally mounted on the user support pivot mount for supporting a user in a seated position and movable between a start position and an end position ~~more~~ rearwardly reclined ~~than~~ the start position, the user support frame comprising one moving part of the machine, and having a seat portion and a back rest portion which travel in a fixed relationship throughout an exercise movement;

at least one exercise arm movably mounted on one of the frames rearward of the user support pivot mount for engagement by the user in performing exercises, the exercise arm having a user engaging handle, and comprising a second moving part of the machine;

a connecting link movably engaged with at least two of the main frame, user support frame and exercise arm for linking movement of the exercise arm to movement of the user support frame in the same general direction as the exercise arm is moved, the connecting link comprising a third moving part of the machine;

a load for resisting movement of at least one of the moving parts of the machine; and whereby the combined motion of the user, user support frame and user engagement means between an exercise start and end position substantially replicates the natural movement of the upper part of a human body when performing a free weight shoulder press exercise.

46. (PREVIOUSLY AMENDED) The machine as claimed in claim 45, wherein the exercise arm and user support frame are positioned relative to one another in the end position such that the handle is located above the back rest portion of the user support frame, whereby the user's arms are extended above their head in the exercise end position.